

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Criminal No.	23cr10038
)		
v.)	Violation:	
)		
(1) ERISON JOSE CUELLO-NUNEZ,)	<u>Count One:</u> Conspiracy to Distribute and to	
a/k/a "Chompi,")	Possess with Intent to Distribute 500 Grams or	
(2) KESENDRY MATEO DIAZ,)	More of a Mixture and Substance Containing	
a/k/a "Tulile,")	Methamphetamine, 400 grams or More of	
(3) ROBERTO TOLEDO SANCHEZ,)	Fentanyl, and Cocaine	
(4) WANDER ERNESTO CUELLO,)	(21 U.S.C. § 846)	
(5) JOSE CUELLO, and)		
(6) JOSE VAZQUEZ,)	<u>Forfeiture Allegation:</u>	
)	(21 U.S.C. § 853)	
Defendants)		

INDICTMENT

COUNT ONE

Conspiracy to Distribute and to Possess with Intent to Distribute
500 Grams or More of a Mixture and Substance Containing Methamphetamine,
400 Grams or More of Fentanyl, and Cocaine
(21 U.S.C. § 846)

The Grand Jury charges:

From in or about June 2022 through on or about February 6, 2023, in Boston, in the District
of Massachusetts, and elsewhere, the defendants,

- (1) ERISON JOSE CUELLO-NUNEZ, a/k/a "Chompi,"
- (2) KESENDRY MATEO DIAZ, a/k/a "Tulile,"
- (3) ROBERTO TOLEDO SANCHEZ,
- (4) WANDER ERNESTO CUELLO,
- (5) JOSE CUELLO, and
- (6) JOSE VAZQUEZ,

conspired with each other and with other persons known and unknown to the Grand Jury, to
knowingly and intentionally distribute and possess with intent to distribute a mixture and substance

containing a detectable amount of methamphetamine, a Schedule II controlled substance, a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the offense charged in Count One involved 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Sections 841(b)(1)(A)(vi) and (viii) are applicable to this Count.

It is further alleged that, with respect to Count One, 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, were reasonably foreseeable by, and are attributable to (1) ERISON JOSE CUELLO-NUNEZ, a/k/a "Chompi," (2) KESENDRY MATEO DIAZ, a/k/a "Tulile," (3) ROBERTO TOLEDO SANCHEZ, and (5) JOSE CUELLO. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(iii) is applicable to defendants (1) ERISON JOSE CUELLO-NUNEZ, a/k/a "Chompi," (2) KESENDRY MATEO DIAZ, a/k/a "Tulile," (3) ROBERTO TOLEDO SANCHEZ, and (5) JOSE CUELLO.

It is further alleged that, with respect to Count One, 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, were reasonably foreseeable by, and are attributable to defendants (1) ERISON JOSE CUELLO-NUNEZ, a/k/a

“Chompi,” (2) KESENDRY MATEO DIAZ, a/k/a “Tulile,” (3) ROBERTO TOLEDO SANCHEZ, and (5) JOSE CUELLO. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(vi) is applicable to defendants (1) ERISON JOSE CUELLO-NUNEZ, a/k/a “Chompi,” (2) KESENDRY MATEO DIAZ, a/k/a “Tulile,” (3) ROBERTO TOLEDO SANCHEZ, and (5) JOSE CUELLO.

All in violation of Title 21, United States Code, Section 846.

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 846, set forth in Count One, the defendants,

- (1) ERISON JOSE CUELLO-NUNEZ, a/k/a “Chompi,”
- (2) KESENDRY MATEO DIAZ, a/k/a “Tulile,”
- (3) ROBERTO TOLEDO SANCHEZ,
- (4) WANDER ERNESTO CUELLO,
- (5) JOSE CUELLO, and
- (6) JOSE VAZQUEZ,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants

--


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL


FOREPERSON


LEAH B. FOLEY
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: February 14, 2023
Returned into the District Court by the Grand Jurors and filed.


DEPUTY CLERK